

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN R. FISHER,  
Plaintiff,

v.

MEGAN L. KING, ESQ., Individually and in her Official Capacity as Assistant District Attorney for Lancaster County, Pennsylvania, and ERIC ZIMMERMAN, Individually and in his Official Capacity as Detective for Northern Lancaster County Pennsylvania Regional Police Department,

Defendants.

CIVIL ACTION  
NO. 15-6134

**ORDER**

AND NOW, this 19<sup>th</sup> day of July, 2016, after review of the Motion to Dismiss of Defendant King and the Motion to Dismiss of Defendant Zimmerman and the Memoranda of Law in support of both, as well as Plaintiff's opposition thereto, it is hereby **ORDERED** as follows:

1. The Motion to Dismiss of Defendant, Megan L. King, Esq. (Docket No. 10), is **DENIED**;
2. The Motion to Dismiss of Defendant, Eric Zimmerman (Docket No. 8), is **GRANTED** in part and **DENIED** in part;
3. The Motion to Dismiss of Defendant, Eric Zimmerman, is **GRANTED** only as to the official capacity claim against Defendant Zimmerman, and is **DENIED** in all other respects; and
4. If Plaintiff wishes to pursue an official capacity claim against

Defendant Zimmerman, he shall file an Amended Complaint within twenty (20) days of the date of this order that properly pleads such a claim.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
Jeffrey L. Schmehl, J.